



HIGHLAND CAPITAL MANAGEMENT  
SERVICES, INC., JAMES DONDERO, NANCY  
DONDERO, AND THE DUGABOY  
INVESTMENT TRUST,

Defendants.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

VS.

HCRE PARTNERS, LLC (N/K/A NEXPOINT  
REAL ESTATE PARTNERS, LLC), JAMES  
DONDERO, NANCY DONDERO, AND THE  
DUGABOY INVESTMENT TRUST,

Defendants.

Adversary Proceeding No.

21-03007-sgj

**DECLARATION OF JOHN A. MORRIS IN SUPPORT OF HIGHLAND’S OBJECTION  
TO MOTION OF DEFENDANT NEXPOINT ADVISORS, L.P.  
TO EXTEND EXPERT DISCLOSURE AND DISCOVERY DEADLINES**

I, John A. Morris, pursuant to 28 U.S.C. § 1746(a) and under penalty of perjury, declare as follows:

1. I am an attorney in the law firm of Pachulski, Stang, Ziehl & Jones LLP, counsel to the above-referenced Reorganized Debtor, and I submit this Declaration in support of *Highland's Objection to Motion of Defendant NexPoint Advisors, L.P. to Extend Expert Disclosure and Discovery Deadlines* (the "Objection") being filed concurrently with this Declaration. I submit this Declaration based on my personal knowledge and review of the documents listed below.

2. Attached as **Exhibit 1** is a true and correct copy of a 30-year term note on behalf of NexPoint Advisors, L.P. and in favor of Highland Capital Management, L.P. for an original principal amount of \$30,746,812.33, dated May 31, 2017.

3. Attached as **Exhibit 2** is a true and correct copy of a Demand Letter dated January 7, 2021.
4. Attached as **Exhibit 3** is a true and correct copy of the October 19, 2021 deposition transcript of Frank Waterhouse.
5. Attached as **Exhibit 4** is a true and correct copy of the October 29, 2021 deposition transcript of James Dondero.

Dated: December 1, 2021.

/s/ John A. Morris  
John A. Morris